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December 18<sup>th</sup>, 2024

Committee of Adjustment  
City of Ottawa  
101 Centrepointe Drive  
Ottawa, ON, K2G 5K7

**Attention: Michel Bellemare, Secretary - Treasurer**

Dear Mr. Bellemare:

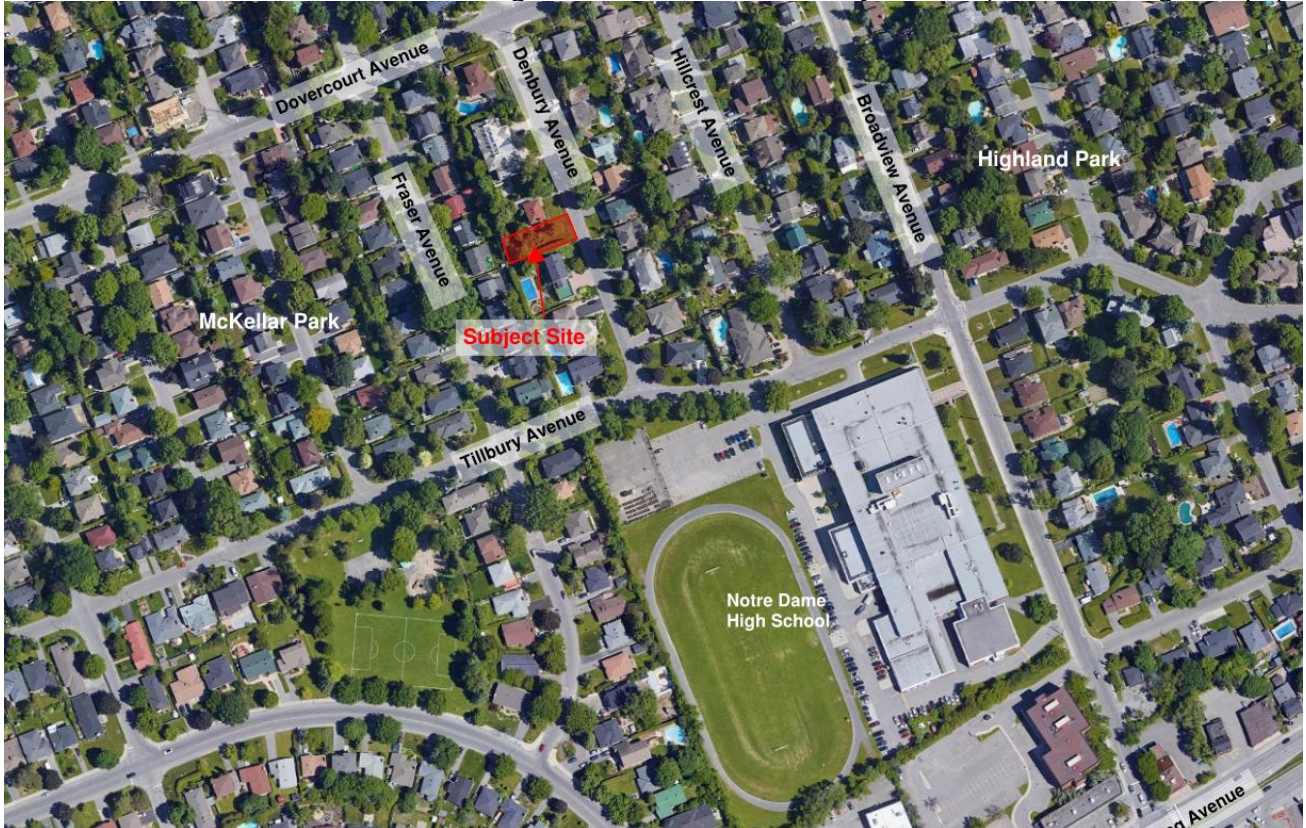
**Reference: 674 Denbury Avenue  
Application Minor Variance  
Our File No 123047**

**Committee of Adjustment**  
Received | Reçu le  
**2024-12-20**  
City of Ottawa | Ville d'Ottawa  
**Comité de dérogation**

Novatech has been retained by the owner under the terms of a purchase and sale agreement of the property municipally known as 674 Denbury Avenue (the "Subject Site") to prepare and file an application for Minor Variances to reduce the minimum required lot width for a double wide driveway, to permit the garage to be closer to the front lot line than the front entrance, and to permit an increased projection of an ornamental feature.

This letter describes the existing conditions of the site and its surrounding context, the proposed development, and the rationale in support of the application.

Figure 1: Location of the Subject Site. (Source: Google Maps).

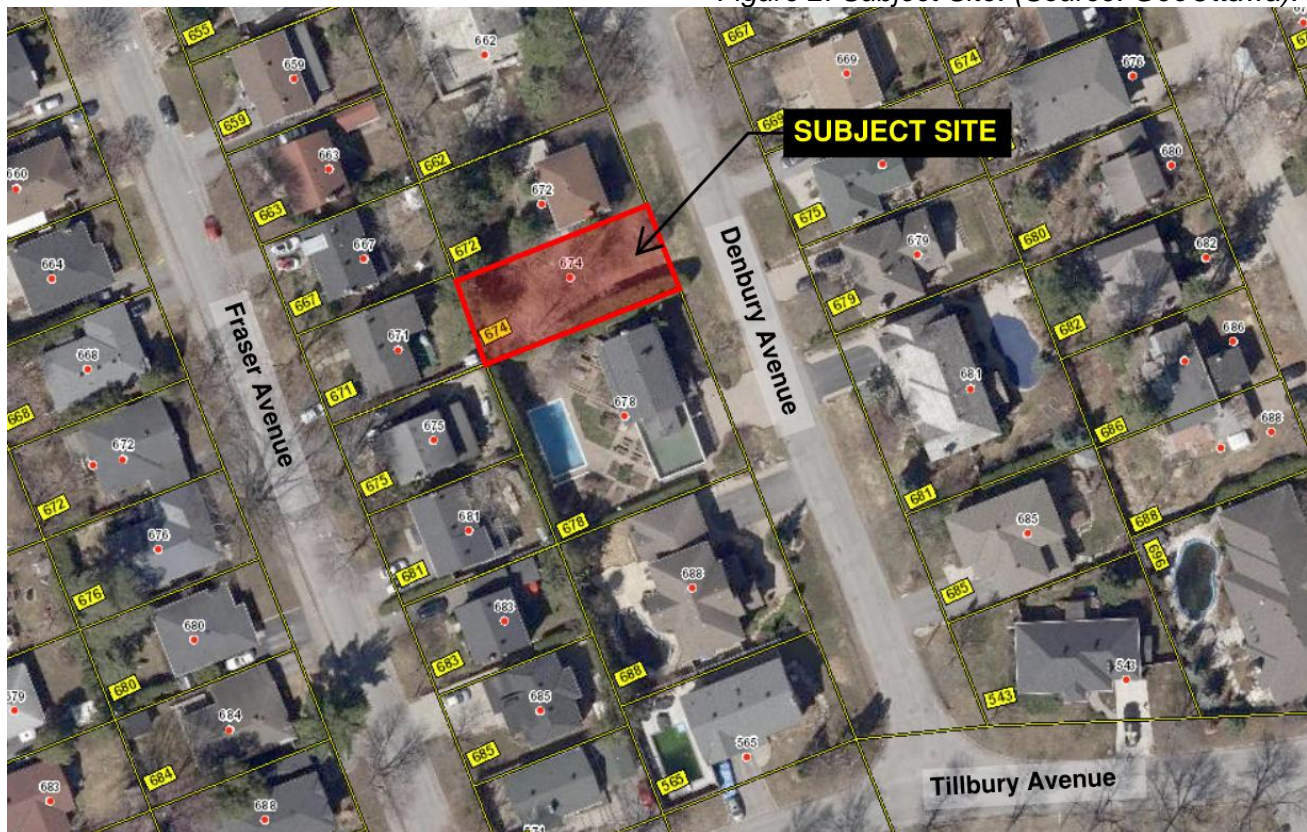


## Site and Context

### Site

The Subject Site is located in the Highland Park/McKellar Park neighbourhood and is within the City of Ottawa's Bay Ward (Ward 7). The property is an interior lot located on the west side of Denbury Avenue (Figure 1). The Subject Site is in an area bounded by Dovercourt Avenue to the north, Hillcrest Avenue to the east, Tillbury Avenue to the south, and Fraser Avenue to the west (Figure 2). The Subject Site has a frontage of 13.8 meters along Denbury Avenue and a lot area of 449.4 square meters. The Subject Site is legally known as Part of Lot 24, Registered Plan 484, City of Ottawa and described as Part 2 on Plan 4R-35960 (Figure 3).

Figure 2: Subject Site. (Source: GeoOttawa).



The Subject Site is zoned R10 in the City of Ottawa Zoning By-law 2008-250. The property is subject to the Mature Neighbourhoods Overlay of the Zoning By-law. The Subject Site is designated Neighbourhood within the Inner Urban Transect in the City of Ottawa Official Plan.

The Subject Site is currently vacant (Figure 4). The Subject Site was part of a severance application that was approved by the Committee of Adjustment on July 14, 2023. Minor variances for a reduced lot width and lot area were requested in order to retain the existing dwelling at 672 Denbury Avenue. The requested minor variances were approved by the Committee of Adjustment on July 14, 2023.

The neighbouring area is characterized by detached dwellings with front-facing attached garages. Many of the properties in the neighbouring area have double wide driveways and double garages.

Figure 3: Reference Plan Excerpt. (Source: Annis, O'Sullivan, Vollebakk).

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ives, be used to re-establish corners  
 ; plan.

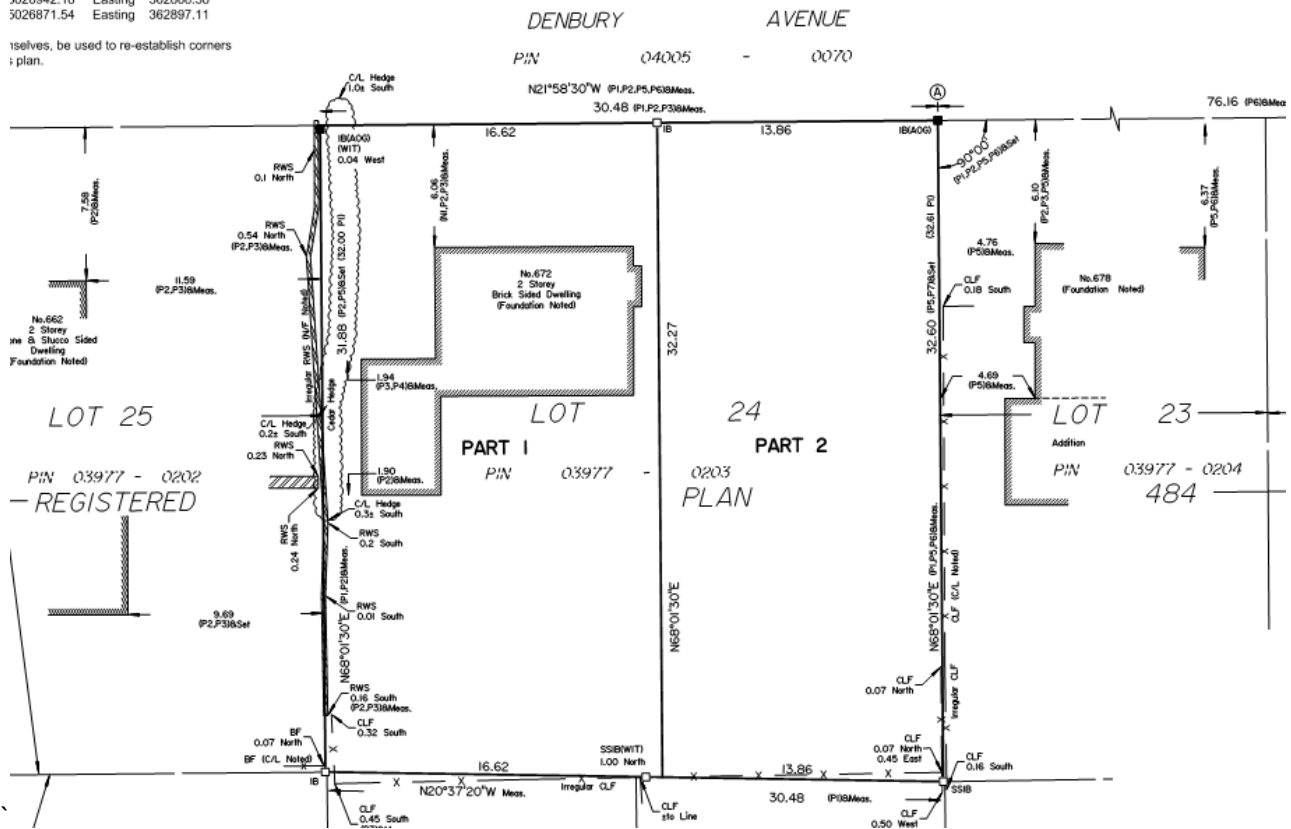


Figure 4: Subject Site. (Source: Google Maps).



**Streetscape Character Analysis**

A Streetscape Character Analysis was completed on November 11<sup>th</sup>, 2024, with the Streetscape Character Analysis Concurrence received on November 20<sup>th</sup>, 2024. The Streetscape Character Analysis reviewed the 13 lots along Denbury Avenue between Dovercourt Avenue and Tillbury Avenue.

One property was identified as having no front-facing attached garage or carport (Character Group A) and 12 properties were identified as having a front-facing attached garage or carport (Character Group B). **The dominant character is front-facing attached garages.**

No properties were identified as having no driveway (Character Group A). Five properties were identified as having single-wide driveways or shared driveways (Character Group B). Eight properties were identified as having individual double-wide driveways (Character Group C). Zero properties were identified as having legally established front yard parking (Character Group D). **The dominant character is individual double-wide driveways** (Figures 5-13).

Figure 5: Double Garages. (Source: GeoOttawa).

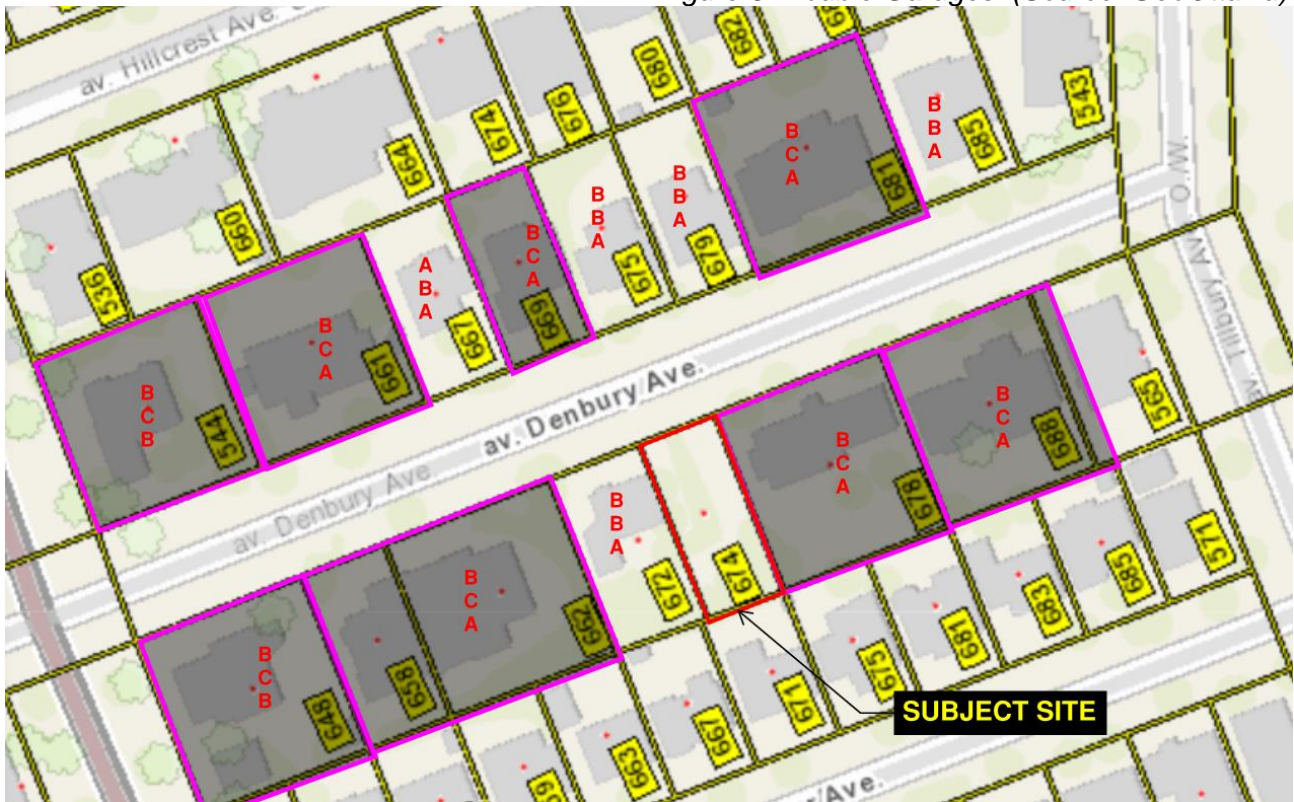


Figure 6: 669 Denbury Avenue. (Source: Google Maps).



Figure 7: 661 Denbury Avenue. (Source: Google Maps).

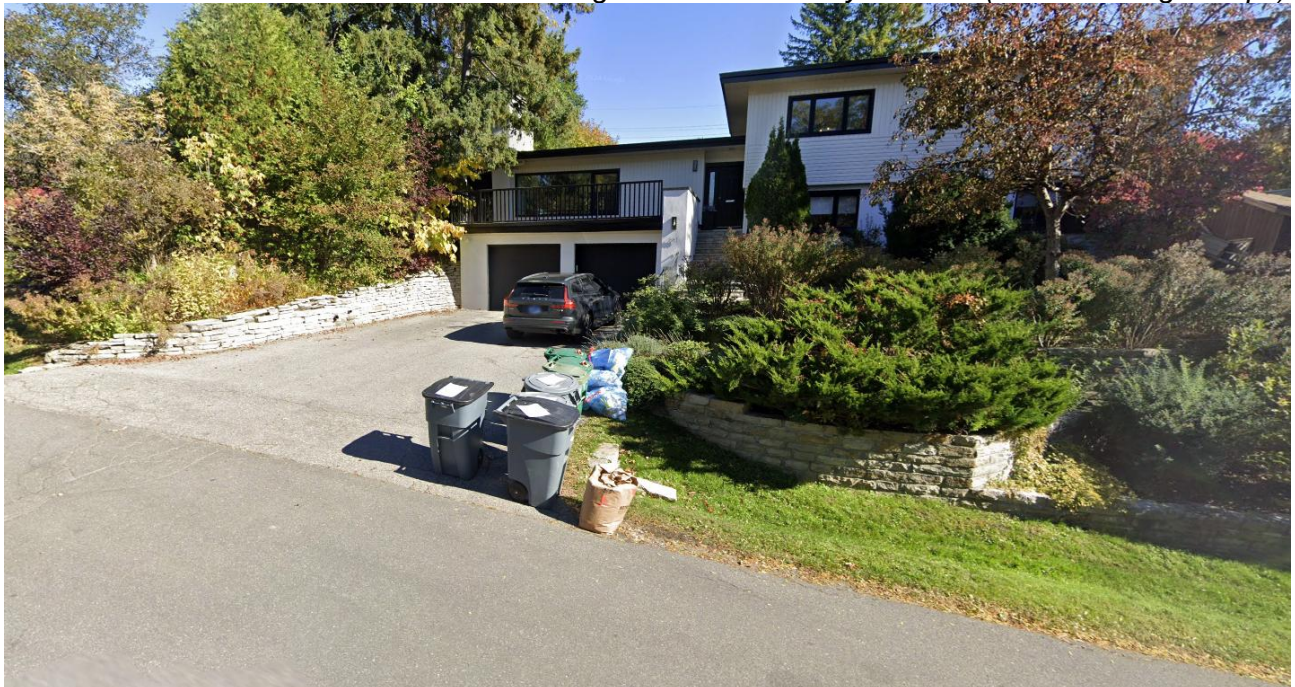


Figure 8: 681 Denbury Avenue. (Source: Google Maps).



Figure 9: 688 Denbury Avenue. (Source: Google Maps).



Figure 10: 662 Denbury Avenue. (Source: Google Maps).



Figure 11: 678 Denbury Avenue. (Source: Google Maps).



*Figure 12: 544 Dovercourt Avenue. (Source: Google Maps).*



*Figure 13: 648 Denbury Avenue. (Source: Google Maps).*





## Proposed Development

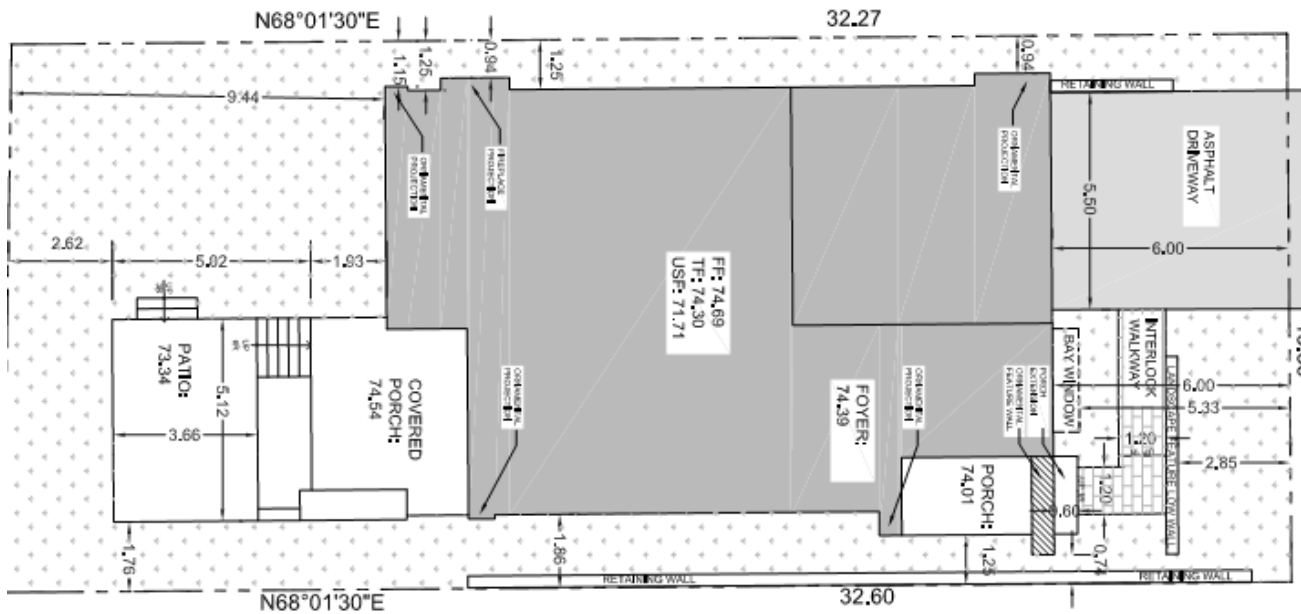
The proposed development is to construct a two-storey detached dwelling on the Subject Site (Figure 14-15). The proposed dwelling will have an attached, front-facing double garage accessed by a double driveway. The proposed detached dwelling is a contextually appropriate built form.

The proposed development will require relief to permit a reduced lot width of 13.86 metres for a 5.5-metre double wide driveway, whereas the minimum lot width or street frontage required is 15 metres for a double driveway. The development also requires relief to permit an increased setback between garage and principal entrance and to permit an ornamental element to project further into the required interior side yard.

*Figure 14: Proposed Development. (Source: Hobin Architecture).*



Figure 15: Site Plan Excerpt. (Source: Uniform Developments).



## Minor Variance Application

The proposed minor variances are listed below:

- To permit a reduced lot width or street frontage required for a 5.5-metre double driveway of 13.8 metres, whereas the Zoning By-law requires a minimum lot width of 15 metres for a double driveway with a width of 5.5 metres. (Section 139, Table 139(3)(v)).
- To permit the garage to be 3.9 metres closer to the front lot line than the principal entrance to the dwelling, whereas the Zoning By-law permits the garage to be no more than 0.6 metres closer to the front lot line than the principal entrance to the dwelling. (Section 139(3)(b)).
- To permit an ornamental feature to project 1.06 metres into the required interior side yard, whereas the Zoning By-law permits a maximum projection of 0.6 metres into the required yard for an ornamental projection. (Section 65, Table 65(3)).

*Note: All requested minor variances have been rounded to the nearest tenths decimal place, as instructed by the Committee of Adjustment.*

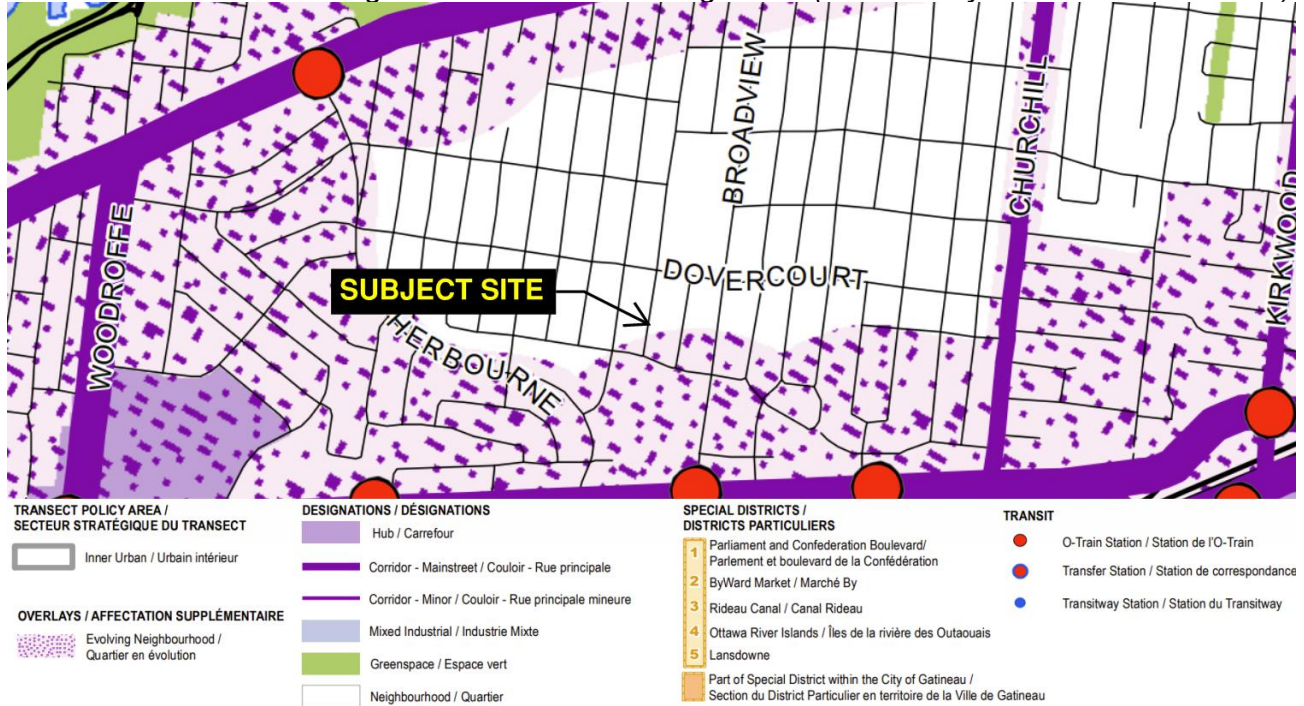
## Minor Variance Rationale

Section 45(1) of the Planning Act sets the four tests that a minor variance is required to meet in order to be permitted.

**The first test for a minor variance is that the general intent and purpose of the Official Plan is maintained.**

The Subject Site is designated Neighbourhood in the Inner Urban Transect of the City of Ottawa Official Plan (Figure 16). The Subject Site is located just outside of the Evolving Neighbourhood Overlay.

Figure 16: Official Plan designation. (Source: City of Ottawa Official Plan).



### Inner Urban Transect

The Inner Urban Transect is characterized by a mix of pre-World War II and post-World War II neighbourhoods with a mix of urban and suburban built forms and character.

Policy 1 of Section 5.2.4 states:

*“Neighbourhoods located in the Inner Urban area and within a short walking distance of Hubs and Corridors shall accommodate residential growth to meet the Growth Management Framework as outlined in Subsection 3.2, Table 3b. The Zoning By-law shall implement the density thresholds in a manner which adheres to the built form requirements as described in Subsection 5.6.1, as applicable and that:*

- Allows and supports a wide variety of housing types with a focus on missing-middle housing, which may include new housing types that are currently not contemplated in this Plan;*
- The application of Zoning By-law development standards to be applied as one lot for zoning purposes to support missing middle housing;*
- Provides for a low-rise built form, by requiring in Zoning a minimum built height of 2 storeys, generally permitting 3 storeys, and where appropriate, will allow a built height of up to 4 storeys to permit higher-density low-rise residential development;*
- Provides an emphasis on regulating the maximum built form envelope that frames the public right of way rather than unit count or lot configuration; and*
- In appropriate locations, to support the production of missing middle housing, lower-density typologies may be prohibited.”*

The proposed development with the requested variances for a detached dwelling aligns with the direction of the Official Plan to allow a wide variety of housing types in the Inner Urban Transect. The proposed development provides for a low-rise built form of two-storeys which is appropriate for Neighbourhoods within the Inner Urban Transect.

Neighbourhood Designation:

The Subject Site is designated Neighbourhood on Schedule B2 of the Official Plan. Section 6.3 provides policy direction for development in Neighbourhoods and describes the intent of the designation as “*permit[ing] a mix of building forms and densities.*” The Plan stresses that “*Neighbourhoods are planned for ongoing gradual, integrated, sustainable and context-sensitive development, or where an Overlay directs evolution, for gradual well-planned transformation.*”

The proposed development meets this intent by providing a low-rise, ground-oriented built form type that is context sensitive.

Policy 4 of Section 6.3.1 states:

*“The Zoning By-law and approvals under the Planning Act shall allow a range of residential and nonresidential built forms within the Neighbourhood designation, including:*

- a) *Generally, a full range of Low-rise housing options sufficient to meet or exceed the goals of Table 2 and Table 3b;”*

The proposed development with the requested variances contributes to the full range of low-rise housing options by providing a two-storey detached dwelling. The development provides a ground-oriented housing form within an area characterized by other ground-oriented building types including detached dwellings.

**The minor variances maintain the intent and purpose of the City of Ottawa Official Plan.**

**The second test for a minor variance is that the general intent and purpose of the Zoning By-law is maintained.**

The Subject Site is zoned Residential First Density, Subzone O (R1O) in the City of Ottawa Zoning By-law 2008-250.

The purpose of the R1 zone is to:

1. *restrict the building form to detached dwellings in areas designated as **General Urban Area** in the Official Plan;*
2. *allow a number of other residential uses to provide additional housing choices within detached dwelling residential areas;*
3. *permit ancillary uses to the principal residential use to allow residents to work at home;*
4. *regulate development in a manner that is compatible with existing land use patterns so that the detached dwelling, residential character of a neighbourhood is maintained or enhanced;*  
*and*
5. *permit different development standards, identified in the Z subzone, primarily for areas designated as **Developing Communities**, which promote efficient land use and compact form while showcasing newer design approaches.*

The following uses are permitted in the R1 zone, as per Section 155 of the Zoning By-law:

- (1) The following uses are permitted uses subject to:
- (a) the provisions of subsection 155 (3) to (6);
  - (b) a maximum of three guest bedrooms in a bed and breakfast;
  - (c) a maximum of ten residents is permitted in a group home; and
  - (d) a maximum of ten residents is permitted in a retirement home, converted.
    - bed and breakfast**, see Part 5, Section 121
    - detached dwelling**
    - diplomatic mission**, see Part 3, Section 88
    - group home**, see Part 5, Section 125
    - home-based business**, see Part 5, Section 127
    - home-based daycare, see Part 5, Section 129
    - park**
    - retirement home, converted** see Part 5, Section 122
    - secondary dwelling unit**, see Part 5, Section 133
    - urban agriculture**, see Part 3, Section 82 (By-law 2017-148)

A detached dwelling is a permitted use in the R1O Zone. The zoning provisions that apply to the Subject Site are set out in the table below.

Table 1: Zoning Provisions

Provision	Required	Provided	Section
Minimum Lot Width (m)	15 m	13.8 m*	Section 156, Table 156A
Minimum Lot Area (m <sup>2</sup> )	450 m <sup>2</sup>	449.4 m <sup>2</sup> *	Section 156, Table 156A
Maximum Building Height (m)	8 m	7.9 m	Section 156, Table 156A
Minimum Front Yard Setback (m)	6 m	6 m	Section 156, Table 156A; Section 144(1)(d)
Minimum Rear Yard Setback (m)	9.44 m (Lot depth minus 23 meters)	9.44 m	Section 144, Table 144B(iv)
Minimum Interior Side Yard Setback (m)	3 m with one yard no less than 1.2 m	1.87 m/1.25 m; total of 3.12 m	Section 156, Table 156A
Minimum Aggregate Front Yard Soft Landscaping	40% of front yard (33.3 m <sup>2</sup> )	37.8 m <sup>2</sup>	Section 139, Table 139(1)
Maximum Driveway Width	5.5 m for lot width between 15 m and less than 18 m	5.5 m for lot width of 13.86 m	Section 139, Table 139(3)
Maximum Area of Driveway	Greater of 50% of the yard in which it is located or 2.6 metres x front yard depth	39.7%	Section 107(3)(b)(ii)
Minimum Garage Setback	Entrance of the garage: 0.6 m from front edge of porch	Entrance of the garage: 0.6 m from front edge of porch	Section 139(3)(a)(ii); Section 139(3)(b)

	Garage: No more than 0.6 m closer to front lot line than principal entrance	Garage: 3.9 metres closer to front lot line than principal entrance	
Maximum Walkway Width	1.2 m	1.2 m	Section 139(4)(c)(ii)
Maximum Rear Yard Parking Area	70%	0%	Section 139(6)
Minimum Rear Yard Soft Landscaping	15%	74.5%	Section 139(7)
Permitted Projections: Front Porch	2 m, no more than 1 m from any lot line	0.61 m into provided interior yard; 1.26 m from interior lot line	Section 65, Table 65(6)(b)(iv)
Permitted Projections: Ornamental Elements	0.6 m, no closer than 0.6 m to a lot line	1.06 m into required interior side yard; 0.74 m from southerly interior lot line  0.26 m into the required interior side yard; 0.94 metres from the northerly interior lot line  0.05 m into the required interior side yard; 1.15 m from the northerly interior lot line	Section 65, Table 65(3)
Permitted Projections: Rear Deck	2 m, no more than 1 m from any lot line	1.93 m, 7.64 m from rear lot line	Section 65, Table 65(6)(b)(iv)
Permitted Projections: Raised Patio	Where walking surface is not higher than 0.6 m in the rear yard: no limit	2.62 m from rear lot line	Section 65, Table 65(6)(a)(i)
Permitted Projections: Chimney	1 m, but not closer than 0.6 m to the property line	0.26 m into the required yard; 0.94 m from the northerly interior lot line	Section 65, Table 65(1)
Permitted Projections: Bay Window	1 m, but not closer than 1.2 m from a lot line	0.67 m into the required yard; 5.33 metres from front lot line	Section 65, Table 65(7)

\*Variances granted on July 14<sup>th</sup>, 2023.

The proposed detached dwelling is a permitted use in the R10 Zone. Minor variances are requested to permit a reduced lot width of 13.8 metres for a 5.5-metre double wide driveway, to permit a garage entrance to be 3.9 metres closer to the front lot line than the principal entrance, and to permit an ornamental element to project 1.06 metres into the required interior side yard.

Variance a) requests a reduced lot width of 13.8 metres for a 5.5-metre double-wide driveway, whereas a lot width of 15 metres or greater is required to permit a double wide driveway. The intent of regulating driveway width in relation to the lot width is to ensure that driveway widths are appropriately scaled to the lot. This intent is met as the proposed driveway takes up 39.7% of the front yard, which conforms to the maximum driveway area requirement of the Zoning By-law, which is 50%. If the lot width were 15 metres and a 5.5-metre driveway were permitted as-of-right, the driveway would take up 36.7% of the front yard, which represents only a 3% difference from the proposed driveway area.

The proposed lot width of 13.8 metres for a 5.5-metre double-wide driveway meets the intent of the Zoning By-law by ensuring that the proposed driveway is appropriately scaled to the lot.

Variances b) requests the front entrance of the garage to be 3.9 metres closer to the front lot line than the front entrance whereas a maximum of 0.6 metres is permitted. The intent of this provision is to ensure that garages are less prominent on the front façade than the front entrance. The intent is also to ensure that garages do not project in front of the dwelling as a “snout garage” would. The proposed design meets this intent as the visual prominence of the garage is reduced through the use of materials and architectural features. Most of the façade is dominated by a stone veneer front entryway feature that visually distinguishes the second storey and the bay window (Figure 17).

Figure 17: Front façade design. (Source: Hobin Architecture).



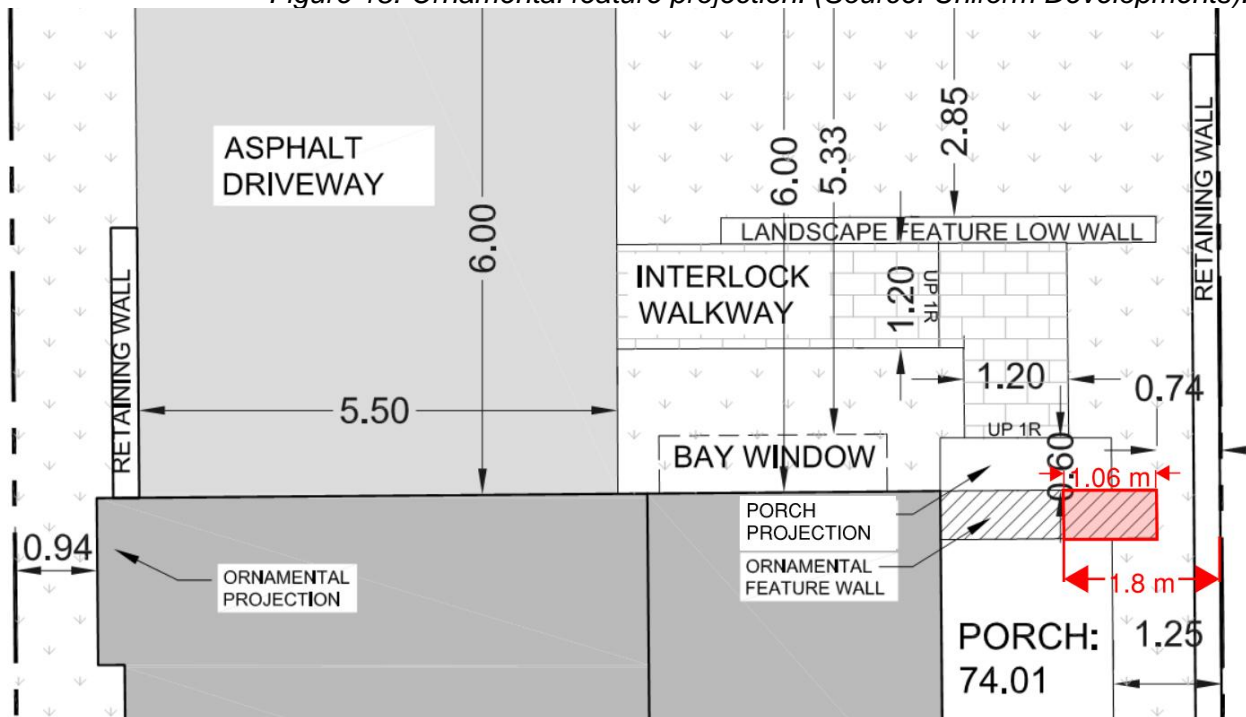
Landscaping in the front yard draws attention from the garage and the garage is not visually prominent. Despite the recessed front entrance, the garage does not project into the front yard more than the rest of house. The 0.6-metre projection of the porch into the required front yard further highlights the prominence of the front entrance instead of the garage.

The requested variance meets the intent of the Zoning By-law by ensuring that the garage is not more prominent on the front façade than the main entrance to the dwelling.

Variance c) requests an increased projection for an ornamental feature of 1.06 metres into the required yard, whereas the maximum permitted projection is 0.6 metres into the required yard (Figure 18). The intent of this provision is to ensure that adequate space is maintained in the yard for access and to ensure that the projection is not too close to the property line. The proposed ornamental feature meets this intent. The ornamental feature only projects 0.5 metres beyond the southerly edge of the porch and is separated by 0.74 metres from the southerly lot line, which exceeds the minimum setback of 0.6 metres required by the Zoning By-law.

Adequate space is still provided between the ornamental feature and the proposed lot line and at least 0.4 metres of walking space is provided between the ornamental feature and the retaining wall, ensuring that access is maintained. The proposed dwelling meets the minimum interior side yard setback requirement for both interior side yards, ensuring that adequate space is maintained for access.

Figure 18: Ornamental feature projection. (Source: Uniform Developments).



The requested variance meets the intent of the Zoning By-law to ensure that adequate space is maintained in the yard for access and to limit the proximity of permitted projections to lot lines.

**The minor variances maintain the general intent and purpose of the Zoning By-law 2008-250.**



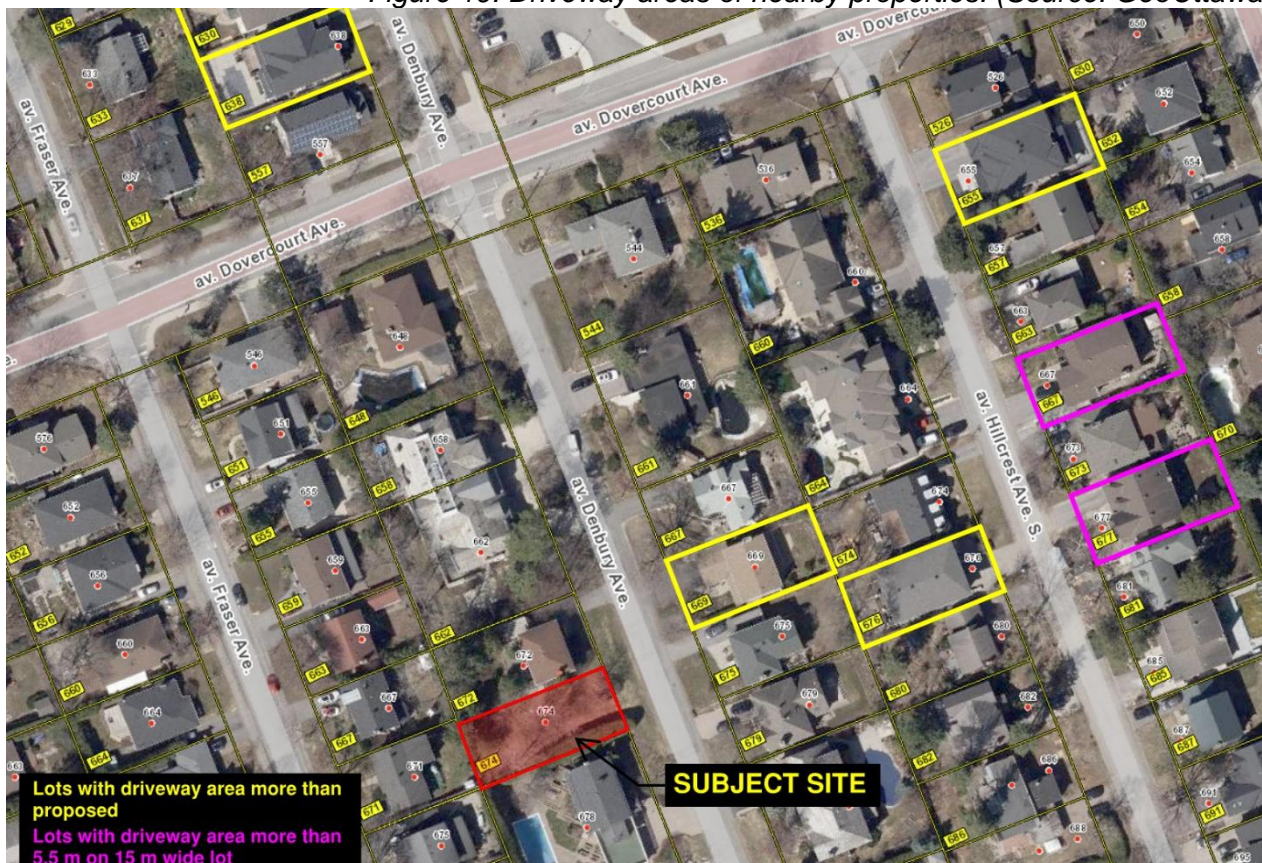
**The third test for a minor variance is that the minor variance is considered desirable for the use of land.**

The requested variances are considered desirable for the use of the land as they facilitate the development of a vacant parcel in an existing residential neighbourhood with a permitted use (detached dwelling). The proposed detached dwelling is an appropriate form for the neighbourhood and is similar to many other homes in the area. The proposed double driveway is a common condition in the area, with the approved streetscape character analysis noting that the dominant characteristic in the area is front-facing attached garages with double-wide driveways.

Other properties in the neighbourhood provide double-wide driveways on properties which are less than 15 metres, including one property across the street. Several properties have driveways that take up the same amount or more space in the front yard as the proposed development (Figure 19: indicated in yellow). Other properties have driveways that take up more area in the front yard than a 5.5-metre driveway on a 15-metre-wide lot (indicated in magenta).

The proposed development with the proposed double wide driveway is desirable for the use of the land as it fits within an existing neighbourhood context where properties have a similar proportion of the front yard dedicated to driveways.

Figure 19: Driveway areas of nearby properties. (Source: GeoOttawa).



The proposed relationship between the garage and the principal entrance is suitable and desirable as it does not result in a “snout garage” where the garage dominates the front façade (Figure 20).

Despite the increased setback of the principal entrance from the garage, the proposed dwelling is designed so that the garage does not project in front of the rest of the house as a “snout garage” would. The proposed design provides a stone veneer façade which emphasize the front entryway. The front building wall is consistent with the entrance of the garage, with the bay window and landscaping in the front yard drawing attention to the front entrance feature.

When compared to the images in Figure 20, the proposed garage and the relationship to the front entranceway is more suitable and desirable as it does not create a “snout garage”. The design incorporates architectural features to draw attention to the front entranceway rather than the garage.

The increased projection of the ornamental feature into the interior side yard is suitable and desirable as it contributes to an aesthetically pleasing design and front façade. The ornamental feature is part of the stone veneer front façade which provides a prominent front entryway and visually distinguishes the front entrance, the bay window, and the second storey. The increased projection of the ornamental feature is suitable and desirable.

*Figure 20: Dominating Garages along Denbury Avenue. (Source: Google Maps).*



**The minor variances are considered desirable for the use of land.**

**The fourth test for a minor variance is that the variance is considered minor in nature.**

Variance a) requests a reduced lot width of 13.8 metres for a 5.5-metre double-wide driveway, whereas a lot width of 15 metres or greater is required to permit a double wide driveway. The requested variance is minor as the proposed lot width is only 1.14 metres narrower than the minimum required lot width for a 5.5-metre driveway. The proposed 13.8-metre lot width is a result of a severance application approved by the Committee of Adjustment on July 14<sup>th</sup>, 2023. The severance application resulted in a larger retained lot and a correspondingly smaller severed lot in order to keep the existing detached dwelling at 672 Denbury Avenue. If the original application had split the lot in half, the severed lot would have a lot width of 15.24 metres and a 5.5-metre driveway would be permitted as of right.

The impact of the reduced lot width with a 5.5-metre driveway is minor as the proportion of the lot width occupied by the driveway is 39.7%, which is only 3% less than a 5.5-metre driveway with a 15-metre-wide lot. Furthermore, the proposed development exceeds the aggregate front yard soft landscaped area. The provided aggregate front yard soft landscaped area is 37.8 square metres (45% of front yard), which exceeds the minimum required front yard soft landscaped area of 33.3 square metres (40% of front yard). The proposed driveway is appropriately scaled to the lot width. The impact of the reduced lot width for a 5.5-metre driveway is minor.

Variance b) requests the front of the garage to be 3.9 metres closer to the front lot line than the principal entrance whereas a maximum of 0.6 metres is permitted. The impact of the principal entrance being 3.9 metres further from the front lot line is minor as the façade of the building is designed to increase the visual prominence of the front entrance relative to the garage. Even though the principal entrance is set back from the garage, the stone veneer presents a uniform front façade, with the porch projecting a further 0.6 metres into the required front yard.

The proposed design with the front entrance inset provides for a larger covered front porch without projecting more than 0.6 metres into the required front yard, allowing for more soft landscaping to be provided in the front yard than if the porch had been projecting a full 2 metres into the required front yard. The impact of the 3.9-metre setback of the principal entrance from the garage is minor.

Variance c) requests an increased projection for an ornamental feature of 1.06 metres into the required yard, whereas the maximum permitted projection is 0.6 metres into the required yard. The impact of the increased ornamental projection is minor as the projection is still set back 0.14 metres more than the minimum required 0.6-metre setback from the interior lot line. The ornamental projection is small in size and will not generate any adverse impact on the neighbouring property.

**The variances are considered minor in nature.**

## **Conclusion**

The proposed development at 674 Denbury Avenue maintains the general intent and purpose of the City of Ottawa Official Plan by providing a contextually appropriate dwelling type through the construction of a new detached dwelling. The requested variances meet the intent and purpose of the Zoning By-law, are desirable for the land, and are minor in nature. The requested variances meet all four tests under Section 45(1) of the Planning Act and the proposed development represents good land use planning.

In support of the applications for consent and minor variance, please find enclosed:

- Cover Letter (one copy)
- Complete Minor Variance Application Form (one original copy)
- Signed Authorization Form
- Application Fee
- Survey Plan (one 8.5x11 copy and one 11x17 copy)
- Site Plan (one 8.5x11 copy and one 11x17 copy)
- Building Elevations (one 8.5x11 copy and one 11x17 copy)
- Tree Information Report (one copy)
- Redacted Agreement of Purchase and Sale (one copy)

Should you have any questions regarding these applications, please do not hesitate to contact me.

Yours truly,

**NOVATECH**

A handwritten signature in black ink, appearing to read 'Arjan Soor', is written over a horizontal line.

Arjan Soor, M.PL  
Planner